

MEMORANDUM

Agenda Item No. 11(A)(13)

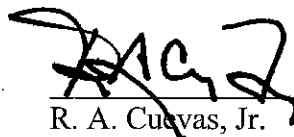
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida Legislature to commission a study to review the effectiveness of the requirements related to providing the public a reasonable opportunity to be heard that the Legislature imposed on local governments through the enactment of Chapter 2013-227, Laws of Florida, and to include in such study proposals for legislative revisions and/or alternatives

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(13)
9-1-15

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO COMMISSION A STUDY TO REVIEW THE EFFECTIVENESS OF THE REQUIREMENTS RELATED TO PROVIDING THE PUBLIC A REASONABLE OPPORTUNITY TO BE HEARD THAT THE LEGISLATURE IMPOSED ON LOCAL GOVERNMENTS THROUGH THE ENACTMENT OF CHAPTER 2013-227, LAWS OF FLORIDA, AND TO INCLUDE IN SUCH STUDY PROPOSALS FOR LEGISLATIVE REVISIONS AND/OR ALTERNATIVES

WHEREAS, during the 2013 session, the Florida Legislature enacted Senate Bill (SB) 50, sponsored by Senator Joe Negron (R – Palm City), which requires members of the public to be given a reasonable opportunity to be heard on any proposition before a board or commission of any state, county or municipal agency or authority; and

WHEREAS, SB 50 is now Chapter 2013-227, Laws of Florida, and went into effect on October 1, 2013; and

WHEREAS, this Board supports the participation of the public in the political process and welcomes public input; and

WHEREAS, as a result of this Board's efforts to comply with Chapter 2013-227 and to provide members of the public a reasonable opportunity to be heard, a number of Miami-Dade County Board of County Commission meetings have extended into the late evening and even into the early hours of the following morning; and

WHEREAS, due to the increased and unpredictable length of such meetings, some members of the public may be discouraged or prevented from speaking or attending; and

WHEREAS, given that boards and commissions across this state have been subject to Chapter 2013-227 for nearly two years, this Board believes it would be fruitful for the Florida

Legislature to commission a study to review the law's effectiveness and to provide proposals for legislative revisions and/or alternatives,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to commission a study to review the effectiveness of the requirements related to providing the public a reasonable opportunity to be heard that the Legislature imposed on local governments through the enactment of Chapter 2013-227, Laws of Florida, and to include in such study proposals for legislative revisions and/or alternatives.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of September, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MP

Matthew Papkin